

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9237 of 2005

Between:

Vardhini Venkateswarlu, s/o Yerraiah,
r/o Jiravaripalem Village, Krakuturu, Kaligiri Mandal, Nellore.

..... PETITIONER

AND

- 1 The District Collector, Nellore, Nellore District.
- 2 The Revenue Divisional Officer, Kavali, Nellore District.
- 3 The Mandal Revenue Officer, Kaligiri Mandal, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue, a writ order or direction more particularly one in the nature of writ of mandamus declare the inaction on the part of the 1st respondent in considering the appeal preferred by the petitioner dt.8-4-2005 wherein requested to delete the names of the voters who were not having landed properties in the Ayucut of Kothacheruvu Tank and on the other hand fixed the Election Schedule dt.25-4-2005 amounts to erroneous, arbitrary and violative of Art.14, 19 and 21 of the Constitution of India and consequently direct the respondents to delete the voters as mentioned in the appeal made by the petitioner dated 8-4-2005 to the 1st respondent from the voters list of Kothacheruvu Tank, Kaligiri Mandal, Nellore District and to pass orders.

Counsel for the Petitioner: MR.T.C.KRISHNAN

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court at the stage of admission made the following :

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO. 9237 OF 2005.

ORAL ORDER:

Petitioner seeks declaration that the action of the respondents in holding elections for the Krakuturu village Water Users Association on 25.4.2005 pending his appeal as illegal and arbitrary and contrary to the A.P. Farmers' Management of Irrigation Systems (Delineation and formation of Water Users Associations) Rules, 2003.

As seen from the record, the voters' list was published on 2-4-2005 and that the petitioner filed his objections before the District Collector on the same day i.e. on 8.4.2005 i.e. within seven days as prescribed under the amended Rule 10 of the Rules, for correction of the voters' list, but the same was not considered.

Having regard to the said facts and circumstances, since the petitioner has filed his objections within the time limit, the District Collector is hereby directed to dispose of the objections/appeals preferred by the petitioner before 25.4.2005, in accordance with law.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

21-04-2005

Note:

Issue operative portion of the

Order on wire at party's cost.

B/0 kvsn.

To

- 1 The District Collector, Nellore, Nellore District.
- 2 The Revenue Divisional Officer, Kavali, Nellore District.
- 3 The Mandal Revenue Officer, Kaligiri Mandal, Nellore District.

4 Two CCs to GP FOR IRRIGATION & COMM AREA DEV.

5 Two CD copies.